

Application No.: 10/516,977
Filing Date: 07/11/2005

AMENDMENTS TO THE DRAWINGS

Applicants have provided a set of replacement drawing sheets, each labeled as a "Replacement Sheet." The attached sheets of drawings (FIGURES 1 through 3) are intended to replace the original sheets of drawings (FIGURES 1 through 3) as filed.

REMARKS

This Amendment is submitted in response to the Office Action mailed March 5, 2008. Claims 13-24 are pending. By this amendment, Claim 13 has been amended to include the limitations of Claims 15 and 16. Claims 22 and 23 have been rewritten in independent form. Claim 23 has also been amended to delete the phrase "if required." Claim 17 has been amended to clarify the limitation "the rear end." Support for the amendments is provided in the original claims as filed and throughout the specification. No new matter has been added by these amendments. Claims 13, 14 and 17-24 are pending and are presented for examination. Reconsideration and withdrawal of the present rejections in view of the comments presented herein are respectfully requested. The drawings have likewise been amended and are presented for examination.

Drawing Rejections

The drawings were objected to because the item and figure numbers were allegedly non-uniform and difficult to discern. Additionally, the detail of Figure 3 was objected to because the shading in the figure obscured the detail.

As requested by the Examiner, clear and accurate drawings are being submitted to address the objections. Applicants are submitting Replacement Sheets for Figures 1-3. No new matter has been added. Applicants respectfully submit that the objections to the drawings have been overcome.

Claim Objections

Claim 13 was objected to because of the inclusion of bullets, i.e. "-". Claim 13 has been amended to remove the bullets, thereby obviating the rejection.

Claim Rejections – 35 U.S.C. Claim Rejections – 35 U.S.C. §112

Claims 17-19 and 23 were rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, the limitation "the rear end" in line of Claim 17

was rejected to as lacking sufficient antecedent basis. Claim 17 has been amended to clarify that the connecting member has a front end and a rear end, thereby overcoming the objection.

Claim 23 was rejected for including the phrase "if required", which rendered the phrase non-limiting. Claim 23 has been amended to delete the objectionable phrase, thereby overcoming the objection under 35 U.S.C. §112, second paragraph.

Claim Rejections under 35 U.S.C. §102

The Examiner has rejected Claims 13-15, 17-21 and 24 under 35 U.S.C. §102(b) as being anticipated by Loughney (U.S. Patent No. 4,322,090). Applicants disagree with the Examiner's rejections of Claims 13-15, 17-21 and 23, and Applicants respectfully traverse the rejection of these claims. However, in order to expedite allowance of this application, Claim 13 has been amended to incorporate the limitations of original Claim 16, which the Examiner indicated would be allowable if rewritten in independent form. Claim 13, as amended, likewise includes the limitations of intervening Claim 15. More particularly, Claim 13 and the claims depending therefrom now recite a binding having a rear retaining element fixable in the open position of the binding, the fixation being releasable on stepping into the binding by means of a step-in mechanism. In order for a claim to be anticipated under 35 U.S.C. §102(b), the prior art reference must teach each and every limitation of the claim. Since Loughney neither teaches nor suggests a rear retaining element fixable in the open position of the binding, the fixation being releasable on stepping into the binding by means of a step-in mechanism, the claims are patentable. Claims 14, 17-21, and 24 depend from amended Claim 13 and further define the invention in Claim 13. Thus, for at least the reasons that amended Claim 13 is not anticipated by Loughney, as set forth above, Claims 14, 17-21, and 24 are also patentable. Accordingly, Applicants submit that this rejection is overcome.

Allowable Subject Matter

Claims 16, 22, and 23 were objected to as being dependent upon a rejected base claim but the Examiner noted that these claims would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims.

The limitations of Claim 16 (and intervening Claim 15) have been incorporated into Claim 13. Claims 22 and 23 have also been rewritten in independent form to include the limitations of

Claim 13. With further regard to Claim 23, the Examiner noted Claim 23 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph. Claim 23 has been amended to delete the phrase "if required" to overcome the objection under 35 U.S.C. §112, second paragraph. Accordingly, Applicants submit that the objections to Claims 16, 22, and 23 have been overcome.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

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Conclusion


In view of the foregoing amendments and remarks, Applicants respectfully submit that the claims are in condition for allowance. Applicants respectfully request reconsideration of the claims in light of the amendments and the above remarks.

The undersigned has made a good faith effort to respond to the outstanding Office Action. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is invited to call the undersigned attorney to resolve such issues promptly. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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AMEND

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